SUPREME COURT MINUTES WEDNESDAY, FEBRUARY 15, 2006 SACRAMENTO, CALIFORNIA AMENDED

The Supreme Court of California convened in its courtroom in the Stanley Mosk Library and Courts Building, Sacramento, California on Wednesday, February 15, 2006, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin*, Moreno, and Corrigan.

* Justice Chin will participate in consideration of the following cases except when noted.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

S122590 In re Fred Freeman on Habeas Corpus

To be called and continued to the March 8, 2006, oral argument calendar.

S128248 John B., Petitioner,

v.

Superior Court, Respondent;

Bridget B., Real Party in Interest.

To be called and continued to the March 8, 2006, oral argument calendar.

S029476 The People, Respondent,

v.

Richard Boyer, Appellant.

Cause called. R. Clayton Seaman, Jr., Court-appointed counsel, argued for Appellant.

Lise Jacobson, Office of the Attorney General, argued for Respondent.

Mr. Seaman replied.

Cause submitted.

S123481 Morning Star Company, Plaintiff and Appellant,

v.

State Board of Equalization et al., Defendants and Respondents.

Cause called. Erik S. Jaffe argued for Appellant.

Molly K. Mosley, Office of the Attorney General argued for Respondents.

Mr. Jaffe replied.

Cause submitted.

S129052 The People, Plaintiff and Respondent,

V.

Sean King, Defendant and Appellant.

Cause called. Greg Zywicke, Office of the Attorney General, argued for Respondent.

Hilda Scheib, Court-appointed counsel, argued for Appellant.

Mr. Zywicke replied.

Cause submitted.

Court recessed until 2:00 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

Justice Chin, not participating in consideration of the following case, did not take the bench.

The Honorable Barton C. Gaut, Associate Justice, Court of Appeal, Fourth Appellate District, Division Two, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S045982 The People, Respondent,

v.

Johnny Avila, Jr., Appellant.

Cause called. Mark E. Cutler, Court-appointed counsel, argued for Appellant.

Louis E. Vasquez, Office of the Attorney General, argued for Respondent.

Mr. Cutler replied.

Cause submitted.

S055474 The People, Respondent,

v.

Clifton Perry, Appellant.

Cause called. Ronald Turner, Office of the State Public

Defender, argued for Appellant.

John G. McLean, Office of the Attorney General, argued for Respondent.

Mr. Turner replied.

Cause submitted.

Court adjourned.